

BILL NO. 91-80

COUNTY COUNCIL  
OF  
HARFORD COUNTY, MARYLAND

BILL NO. 91-80

Introduced by Council President Wilson at the request of the County Executive  
Legislative Day No. 91-39 Date December 17, 1991

AN ACT to add new subsection 60-8, Interim Purchase of Development Rights to Chapter 60, Agriculture, of the Harford County Code, as amended, to provide for the purchase of certain development rights on an interim basis.

By the Council, December 17, 1991

Introduced, read first time, ordered posted and public hearing scheduled

on: January 21, 1992

at: 7:00 P.M.

By Order: Doris Poulsen, Secretary

**PUBLIC HEARING**

Having been posted and notice of time and place of hearing and title of Bill having been published according to the Charter, a public hearing was held on January 21, 1992, and concluded on, January 21, 1992

Doris Poulsen, Secretary

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW. [Brackets] indicate matter deleted from existing law. Underlining indicates language added to Bill by amendment. Language lined through indicates matter stricken out of Bill by amendment.

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1           WHEREAS, the County is recognized as having a certified  
2   agricultural land preservation program as determined by the  
3   Maryland Office of State Planning and the Maryland Agricultural  
4   Land Preservation Foundation; and

5           WHEREAS, because of its certification, the County retains 75%  
6   of the State transfer tax proceeds for the agricultural program;  
7   and

8           WHEREAS, this money may be used to purchase or supplement the  
9   purchase of development rights; and

10          WHEREAS, there are various county land owners who have offered  
11   their development rights for sale to the state; and

12          WHEREAS, the State has frozen all funds for the purchase of  
13   these agricultural development rights due to the current financial  
14   situation in the state; and

15          WHEREAS, the County may, therefore, on its own, purchase these  
16   development rights from the land owners; and

17          WHEREAS, it is the County's intent that, due to the limited  
18   resources it has available for the purchase of development rights,  
19   only those land owners who are in the County's agricultural land  
20   preservation district and have previously offered for sale their  
21   development rights to the State will be allowed to offer their  
22   development rights for sale to the County; and

23          WHEREAS, any development rights purchased by the County shall  
24   be completed by June 30, 1992; and

25          WHEREAS, the funds must be either expended or committed by  
26   that date in order to comply with state law; and

27

1 WHEREAS, the priority ranking for the purchase of any  
2 development rights will be the point rating system currently  
3 utilized by the Harford County Agricultural Land Preservation  
4 Advisory Board; and

5 WHEREAS, these funds are correctly available for purchase of  
6 the development rights and if not expended or committed by June 30,  
7 1992, shall revert back to the State.

8 NOW THEREFORE:

9 Section 1: Be It Enacted By The County Council of Harford  
10 County, Maryland, that new subsection 60.8, Interim Purchase of  
11 Development Rights of Chapter 60, Agriculture, be and it is hereby  
12 added to the Harford Code, as amended to read as follows:

13 CHAPTER 60. AGRICULTURE

14 ARTICLE 1. AGRICULTURAL LAND PRESENTATION

15 SECTION 60.8. INTERIM PURCHASE OF DEVELOPMENT RIGHTS

16 A. THE COUNTY IS AUTHORIZED TO PURCHASE DEVELOPMENT RIGHTS  
17 FROM LAND OWNERS WHO ARE IN AN AGRICULTURE PRESERVATION  
18 DISTRICT AND HAVE OFFERED DURING THE FIRST CYCLE OF 1991  
19 THEIR DEVELOPMENT RIGHTS FOR SALE TO THE STATE.

20 B. FUNDS FOR THE PURCHASE OF THESE DEVELOPMENT RIGHTS SHALL  
21 BE COMMITTED OR EXPENDED BY JUNE 30, 1992.

22 C. THE PRIORITY RANKING FOR THE PURCHASE OF DEVELOPMENT  
23 RIGHTS SHALL BE THE POINT RATING SYSTEM CURRENTLY  
24 UTILIZED BY THE HARFORD COUNTY AGRICULTURAL LAND  
25 PRESERVATION ADVISORY BORAD.

26 D. THE COUNTY SHALL RECORD AN EASEMENT ON THE LAND FOR WHICH  
27 PAYMENT IS MADE UNDER THE AUTHORITY OF THIS SECTION 60.8

1 IN ACCORDANCE WITH THE CONDITIONS IMPOSED ON EASEMENTS BY  
2 THE MARYLAND AGRICULTURE LAND PRESERVATION FOUNDATION.

3 Section 2. And Be It Further Enacted that this Act shall take  
4 effect sixty (60) calendar days from the date it becomes law.

EFFECTIVE: March 24, 1992

The Secretary of the Council does hereby  
certify that fifteen (15) copies of this Bill  
are immediately available for distribuion to  
the public and the press.

Doris Poulsen, Secretary

## BY THE COUNCIL

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Read the third time.

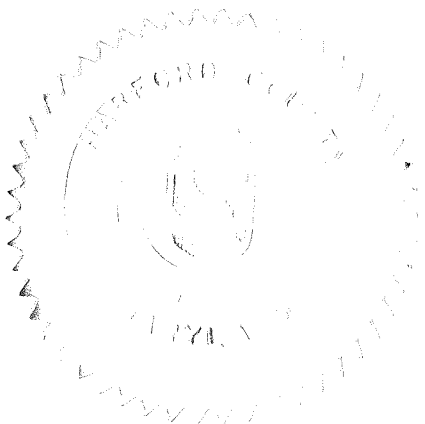
Passed: LSD 92-3 (January 21, 1992)

Failed of Passage: \_\_\_\_\_

By Order

Doris Poulsen, Secretary

Sealed with the County Seal and presented to the County Executive  
for her approval this 22nd day of January,  
1992 at 3:00 o'clock P.M.

Doris Poulsen, Secretary

BY THE EXECUTIVE

Eileen M. Behrman  
COUNTY EXECUTIVE

APPROVED:

Date January 24, 1992

BY THE COUNCIL

This Bill, (No. 91-80), having been approved by the County  
Executive and returned to the Council, becomes law on January 24, 1992.

Doris Poulsen, Secretary

EFFECTIVE DATE: March 24, 1992